

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

WACO DIVISION

HIGGINBOTHAM BROS.
& CO., LLC,
Plaintiff,

v.

DO IT BEST CORP.,
Defendant.

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CIVIL ACTION NO. W-11-CA-149

J U D G M E N T

In accordance with the Findings of Fact and Conclusions of Law and the Supplemental Findings of Fact and Conclusions of Law entered by the Court, the Court enters its Judgment as follows:

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff Higginbotham Bros. & Co., LLC recover \$356,761.00 in damages from Defendant Do It Best Corp..

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Higginbotham recover pre-judgment interest on the unpaid amount of \$356,761.00 at the statutory rate of 8% per year beginning on June 4, 2009 until the date of Judgment, and post-judgment interest at the statutory rate of .17% from the date of Judgment until paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Do It Best Corp. recover \$17,823.98 in attorney's fees, costs and expenses from Plaintiff Higginbotham Bros. & Co., LLC.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any relief not specifically granted in this Judgment is **DENIED**.

SIGNED this 18 day of October, 2012.

A handwritten signature in blue ink, appearing to read "Walter S. Smith, Jr.", is written over a horizontal line.

WALTER S. SMITH, JR.
United States District Judge